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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CAROLE MIGDEN, et al.,

Plaintiffs,

v.

FAIR POLITICAL PRACTICES
COMMISSION, et al.,

Defendants.

Case No: CIV. S-08- 486 EFB

**DECLARATION OF HEATHER M.
ROWAN IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PRELIMINARY INJUNCTION**

I, Heather M. Rowan, declare as follows;

1. I am an attorney at law licensed by the state of California, and am admitted to practice before this court. I am employed by defendant Fair Political Practices Commission (the "FPPC") as Commission Counsel, and am engaged in the defense of the FPPC in the matter named above. I have personal knowledge of the matters set forth below, and I could competently testify on those matters if called upon to do so.

1 2. The Federal Election Commission (the "FEC") has published a detailed analysis
2 regarding a summary of state campaign finance laws as of 2001: *Campaign Finance Law 2002*,
3 by Edward D. Feigenbaum, J.D. and James A. Palmer, J.D.. This analysis is available in its
4 entirety on the FEC's website in its Library under the tab "State Campaign Finance Laws,"
5 available at: <http://www.fec.gov/pubrec/cfl/cfl02/cfl02.shtml> (Last visited, March 17, 2008).
6 Because the chart is incredibly detailed and quite long (674 pages in total), printing and attaching
7 the entire document would be costly and wasteful. Instead, I have taken excerpts of the pertinent
8 information and reassembled it into a readable, shortened, format. The information the FEC
9 supplied is unchanged. A copy of this information is attached hereto as Exhibit A.

10 3. Included within this detailed analysis of state law is a chart that offers an overview of
11 state expenditure limitations including personal use and post-election expenditures. This chart,
12 originally part of the above document, has been separated out for ease of use, and is attached
13 hereto as Exhibit B.

14 4. On March 10, 2008, I visited the California State Archives and researched legislative
15 history on specific sections of the California Government Code and the California Election Code.
16 Attached hereto as Exhibits C and D are a copy of Senate Bill 42, a bill that was passed into law
17 as Election Code 12400-12404 in 1981, and a newspaper article from the Sacramento Bee on
18 October 5, 1981 commenting on the need for the law. Both of these documents were found in
19 the Senator's file who introduced and authored the bill. California Elections Code sections
20 12400-12404 were adopted whole-cloth into the California Government Code in 1989 for
21 efficiency of enforcement. The statutes are now codified at California Government Code
22 sections 89511- 89519. Attached hereto as Exhibit E is the 1989 analysis from the Assembly
23 Ways and Means Committee as found in the California State Archives.

24 5. I declare, under penalty of perjury under the laws of the state of California, that the
25 foregoing is true and correct, and that this Declaration was executed in Sacramento, California on
26 March 18, 2008.

27 

28 Heather M. Rowan